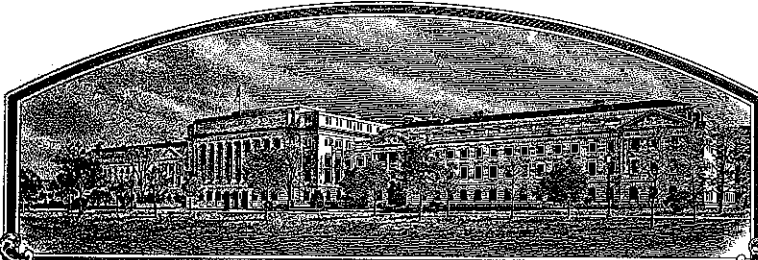


No.

200300339



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Resource Seeds, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

TRITICALE

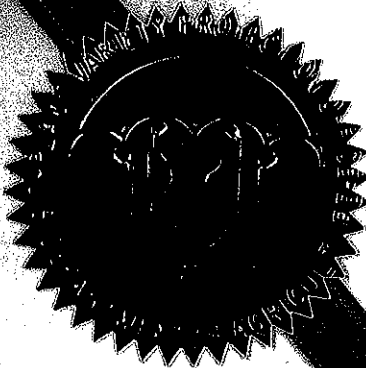
'1029S'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this fifth day of June, in the year two thousand and six.

Attest:

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Secretary of Agriculture

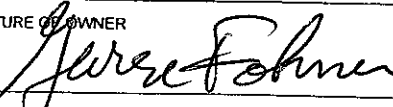


U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE (Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2425).

1. NAME OF OWNER Resource Seeds, Inc.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME 1029E CMS		3. VARIETY NAME 1029S	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) 2280 Hecker Pass Highway Gilroy, California 95020		5. TELEPHONE (include area code) 408/847-1051		<div style="border: 1px solid black; padding: 5px;"> FOR OFFICIAL USE ONLY PVPO NUMBER 200300339 FILING DATE September 22, 2003 </div>	
		6. FAX (include area code) 408/847-0604			
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Corporation		8. IF INCORPORATED, GIVE STATE OF INCORPORATION California		9. DATE OF INCORPORATION October 1, 1990	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers)					<div style="border: 1px solid black; padding: 5px;"> FILING AND EXAMINATION FEES: \$ 3652.00 DATE 9/22/03 CERTIFICATION FEE: \$ 768.00 DATE 3/21/2006 </div>
Dr. George Fohner Resource Seeds, Inc. P.O. Box 1319 Gilroy, CA 95021					
11. TELEPHONE (include area code) 408/847-1051		12. FAX (include area code) 408/847-0604		13. E-MAIL george@resourcesseeds.com	
				14. CROP KIND (Common Name) Triticale	
18. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse) a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$2,460 \$3,652 made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office))			19. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? See Section 83(a) of the Plant Variety Protection Act <input type="checkbox"/> YES (If "yes", answer items 20 and 21 below) <input checked="" type="checkbox"/> NO (If "no," go to item 22)		
			20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED		
			21. DOES THE OWNER SPECIFY THAT THE CLASSES BE LIMITED AS TO NUMBER OF GENERATIONS? IF YES, SPECIFY THE NUMBER 1, 2, 3, etc. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED (If additional explanation is necessary, please use the space indicated on the reverse.)		
22. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input checked="" type="radio"/> YES <input type="radio"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)			23. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="radio"/> YES <input checked="" type="radio"/> NO IF YES, GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)		
24. The owners declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) is(are) informed that false representation herein can jeopardize protection and result in penalties:					
SIGNATURE OF OWNER 			SIGNATURE OF OWNER		
NAME (Please print or type) George Fohner			NAME (Please print or type)		
CAPACITY OR TITLE President		DATE 9/16/03		CAPACITY OR TITLE	
				DATE	

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (in the sense that it will reproduce an entire plant) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$2,450 (\$300 filing fee and \$2,150 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 500, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. DO NOT use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$300 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvp.htm>

ITEM

- 18a. Give:
- (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;
 - (2) the details of subsequent stages of selection and multiplication;
 - (3) evidence of uniformity and stability; and
 - (4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 18b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
- (1) identify these varieties and state all differences objectively;
 - (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
 - (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 18c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 18d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 18e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
19. If "Yes" is specified (*seed of this variety be sold by variety name only, as a class of certified seed*), the applicant MAY NOT reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).
22. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
23. See Section 5.5 of the Act for instructions on claiming the benefit of an earlier filing date.

22. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

USA, October 2002. Prior to October 2002, only used for field tests and seed multiplication under the supervision and control of Resource Seeds, Inc.

23. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

To avoid conflict with other variety names in use, the applicant must check the variety names proposed by contacting: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center-East, Beltsville, MD 20705. Telephone: (301) 504-8089.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Jamie L. Whitten Building, Washington, D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your letter. Under the PRA of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

The U.S. Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and marital or familial status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (braille, large print, audiotape, etc.) should contact the USDA Office of Communications at (202) 720-2791. To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call (202) 720-7327 (voice) or (202) 720-1127 (TDD). USDA is an equal opportunity employer.

IT-470 (6-98) designed by the Plant Variety Protection Office with WordPerfect 6.0a. Replaces STD-470 (03-96) which is obsolete.

'1029S' TRITICALE**Exhibit A. Origin and breeding history of the variety.**

Triticale "1029S" is a cytoplasmic male sterile, winter-type triticale variety that originated from the cross 1029/1439S followed by six generations of backcrosses to 1029 to produce a variety that combines the cytoplasm that induces male sterility with the 1029 genotype. The triticale line 1029 is a breeding line obtained by Resource Seeds from Pioneer Hi-Bred International, Inc. as part of the triticale breeding program purchased from Pioneer in 1989. The triticale line 1439S is a cytoplasmic male sterile line derived from a cross between the breeding line 1439 and a cytoplasmic male sterile line that resulted from a cross between the Polish triticale variety, Lasko, and an alloplasmic line of Selkirk wheat that was cytoplasmic male sterile. The line 1439 resulted from the chemical mutation of Lasko.

On the basis of our experience of producing pre-breeder and breeder seed, and multiplying seed, the variety 1029S appears to be stable and uniform, except that it has been noted during seed multiplication that a variant approximately 16 cm taller than the norm is found at a frequency below 5%.

'1029S' TRITICALE**Exhibit B. Statement of Distinctness**

Compared to commercially available triticales varieties, 1029S triticales is most similar to the variety, "336". It differs most notably from 336 by being male sterile.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, MEAT, GRAIN AND SEED DIVISION
BELTSVILLE, MARYLAND 20705

EXHIBIT C
(Triticale)

OBJECTIVE DESCRIPTION OF VARIETY
TRITICALE

NAME OF APPLICANT(S) RESOURCE SEEDS, INC.	VARIETY NAME OR TEMPORARY DESIGNATION 1029S
ADDRESS (Street and No., or F.F.D. No., City, State, and ZIP Code) P.O. BOX 1319, GILROY, CA 95021	FOR OFFICIAL USE ONLY PVPO NUMBER 200300339

Place the appropriate number that describes the varietal character of this variety in the boxes below.
Place a zero in first box (e.g., or) when number is either 99 or less or 9 or less.

1. GROWTH HABIT:

<input type="text" value="3"/>	1 = SPRING	2 = INTERMEDIATE	3 = WINTER
<input type="text" value="2"/>	Juvenile Plant Growth:	1 = PROSTRATE	2 = SEMIPROSTRATE
<input type="text" value="2"/>	Photoperiod:	1 = INSENSITIVE	2 = SENSITIVE

2. PLOIDY:

<input type="text" value="1"/>	1 = HEXAPLOID	2 = OCTOPLOID	3 = OTHER (Specify) _____
<input type="text" value="4"/> <input type="text" value="2"/>	2n CHROMOSOME NUMBER		

3. MATURITY (50% Flowering):

<input type="text" value="2"/>	1 = VERY EARLY	2 = EARLY	3 = MIDSEASON	4 = LATE	5 = VERY LATE
<input type="text" value="0"/> <input type="text" value="7"/>	DAYS EARLIER THAN 336			<input type="text" value="1"/>	1 = CARMACK
<input type="text" value="0"/> <input type="text" value="0"/>	DAYS LATER THAN			<input type="text" value="1"/>	2 = ROSNER
					3 = PATHFINDER
					4 = 6TA 204
					5 = ARMADILLA

4. HEIGHT:

<input type="text" value="1"/> <input type="text" value="1"/> <input type="text" value="5"/>	CM. HIGH	<input type="text" value="4"/>	1 = DWARF	2 = SEMIDWARF	3 = SHORT
<input type="text" value="0"/> <input type="text" value="0"/>	CM. SHORTER THAN	<input type="text" value="1"/>	4 = MIDTHALL	5 = TALL	
<input type="text" value="2"/> <input type="text" value="0"/>	CM. TALLER THAN 336	<input type="text" value="1"/>	1 = CARMACK	2 = ROSNER	3 = PATHFINDER
			4 = 6TA 204	5 = ARAMADILLA	

5. PLANT COLOR AT BOOT STAGE:

<input type="text" value="2"/>	1 = YELLOW GREEN	2 = GREEN	3 = BLUE GREEN
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6. STEM:

<input type="text" value="1"/>	Anthocyanin:	1 = ABSENT	2 = PRESENT
<input type="text" value="3"/> <input type="text" value="4"/>	Neck Hairiness:	1 = NONE	2 = SLIGHT
<input type="text" value="1"/> <input type="text" value="2"/>	Shape Of Neck:	1 = STRAIGHT	2 = WAVY
		3 = OTHER (Specify) _____	

7. LEAVES:

<input type="text" value="2"/>	Flag Leaf:	1 = NOT TWISTED	2 = TWISTED	<input type="text" value="2"/> <input type="text" value="3"/>	CM. LEAF LENGTH: 1st Leaf Below Flag Leaf
<input type="text" value="1"/>	Waxy Bloom On Leaf At Boot:	1 = ABSENT	2 = PRESENT	<input type="text" value="1"/> <input type="text" value="4"/>	MM. LEAF WIDTH: 1st Leaf Below Flag Leaf
<input type="text" value="1"/>	Leaf Carriage:	1 = UPRIGHT	2 = RECURVED	<input type="text" value="1"/>	Auricle Color:
		3 = DROOPING			1 = COLORLESS OR WHITE
					2 = PURPLE
					3 = OTHER (Specify) _____

5

8. HEAD:

Density: 1 = LAX 2 = MIDDENSE 3 = DENSE
 Shape: 1 = FUSIFORM 2 = OBLONG 3 = CLAVATE 4 = ELLIPTICAL 5 = OTHER (Specify) tapering
 Awnedness: 1 = AWNLESS 2 = APICALLY AWNLETTERED 3 = AWNLETTERED 4 = AWNED
 Awn Color: 1 = WHITE 2 = YELLOW 3 = TAN 4 = BROWN 5 = BLACK
 CM. HEAD LENGTH MM. HEAD WIDTH

9. GLUMES AT MATURITY:

Pubescence: 1 = GLABROUS 2 = SLIGHTLY PUBESCENT 3 = PUBESCENT
 Color: 1 = WHITE 2 = YELLOW 3 = TAN 4 = BROWN 5 = BLACK
 Length: 1 = SHORT 2 = MIDLONG 3 = LONG Width: 1 = NARROW 2 = MIDWIDE 3 = WIDE
 Shoulder: 1 = WANTING 2 = OBLIQUE 3 = ROUNDED 4 = SQUARE 5 = ELEVATED 6 = APICULATE Beak: 1 = OBTUSE 2 = ACUTE 3 = ACUMINATE

10. COLEOPTILE COLOR:

1 = WHITE 2 = GREEN 3 = PURPLE

11. SEED:

Shape: 1 = OVATE 2 = OVAL 3 = ELLIPTICAL
 Smoothness: 1 = SMOOTH 2 = SLIGHTLY WRINKLED 3 = WRINKLED
 Brush Area: 1 = SMALL 2 = MIDSIZE 3 = LARGE
 Brush Length: 1 = SHORT 2 = MIDLONG 3 = LONG
 Phenol Reaction: 1 = IVORY 2 = FAWN 3 = LIGHT BROWN 4 = BROWN 5 = BROWN BLACK
 Color: 1 = WHITE 2 = AMBER 3 = RED 4 = PURPLE 5 = BLACK 6 = OTHER (Specify) light brown
 GMS. PER 1,000 SEED

12. DISEASE (0 = Not Tested, 1 = Susceptible, 2 = Resistant, 3 = Tolerant):

<input type="text" value="0"/> STEM RUST (Races) _____	<input type="text"/> LEAF RUST (Races) _____
<input type="text" value="0"/> STRIPE RUST (Race) _____	<input type="text"/> ERGOT _____
<input type="text" value="0"/> POWDERY MILDEW _____	<input type="text"/> BACTERIAL STRIPE _____
<input type="text" value="0"/> SEPTORIA _____	<input type="text"/> YELLOW DWARF _____
<input type="text"/> OTHER (Specify) _____	<input type="text"/> OTHER (Specify) _____

13. INSECT (0 = Not Tested, 1 = Susceptible, 2 = Resistant, 3 = Tolerant):

<input type="text" value="0"/> GREENBUG	HESSIAN FLY RACE:			
<input type="text" value="0"/> CEREAL LEAF BEETLE	<input type="text"/> GP	<input type="text"/> A	<input type="text"/> B	<input type="text"/> C
<input type="text"/> OTHER (Specify) _____	<input type="text"/> D	<input type="text"/> E	<input type="text"/> F	<input type="text"/> G

14. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED:

200300339

CHARACTER	VARIETY
PLANT TILLERING	336
WINTER HARDINESS	336
AREA OF ADAPTATION	336
SEED SHAPE	

REFERENCES:

L. W. Briggie and L. P. Reitz, 1963, Classification of Triticum Species and Wheat Varieties Grown in the United States, Technical Bulletin 1278, USDA.

W. E. Walls, 1965, A Standardized Phenol Method for Testing Wheat Seeds for Varietal Purity, Contribution No. 28 to the handbook of seed testing prepared by the Association of Official Seed Analysts.

COMMENTS:

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) RESOURCE SEEDS, INC.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER 1029E CMS	3. VARIETY NAME 1029S
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) P.O. Box 1319, Gilroy, CA 95021	5. TELEPHONE (include area code) 408/847-1051	6. FAX (include area code) 408/847-0604
7. PVPO NUMBER		200300339

8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain. ☒ YES ☐ NO9. Is the applicant (individual or company) a U.S. national or U.S. based company? ☒ YES ☐ NO
If no, give name of country10. Is the applicant the original owner? ☒ YES ☐ NO If no, please answer one of the following:

a. If original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. national(s)?

☐ YES ☐ NO If no, give name of country

b. If original rights to variety were owned by a company(ies), is(are) the original owner(s) a U.S. based company?

☐ YES ☐ NO If no, give name of country

11. Additional explanation on ownership (if needed, use reverse for extra space):

PLEASE NOTE:

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and marital or familial status. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call 1-800-245-6340 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.